IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1808 OF 2005

Rajaram Hanuman Yadav & Anr. ...Petitioners
Vs.
The State of Maharashtra & Anr. ...Respondents

Shri. S.M. Oak for the Petitioner.
Shri. A.S. Gadkari, A.P.P. for the State.
Shri. Lagu h/f Shri. R.S. Apte for the Respondent No.2.

CORAM : A. S. OKA, J.
DATE : SEPTEMBER 12, 2005.

P.C.:

1. Heard the Advocate appearing for the Petitioner. The learned A.P.P. for the State pointed out in compliance with the order dated 31st August, 2005 that the Petitioners are not yet named as acused. He stated that the investigation is in progress and if the prosecution desires to arrest the Petitioners, seventy-two hours notice will be given. He submitted that the Petitioners are directed to co-operate with the Investigating Officer by attending the concerned Police Station for the purposes of investigation as and when called upon to do so.

2. In view of the statement made by the learned A.P.P., this Petition need not be kept pending and the same is disposed of by passing following order:

: O R D E R :

i) In the event the Respondent No.1 desires to

arrest the Petitioners in connection with the complaint filed by the Respondent No.2, seventy-two hours clear notice will be given to the Petitioners.

ii) The Petitioners are directed to co-operate with the Investigating Officer for the purposes of investigation and are directed to attend the concerned Police Station as and when called upon to do so.

iii) The contentions which are raised by the Petitioners in this Petition on merits are expressely kept open.

iv) In case notice is given to the Petitioners by the State, the Petitioners will be at liberty to file appropriate proceedings in accordance with law.

JUDGE